

REMARKS

The undersigned and the inventor Dr. Mark Sliwkowski confirm having met with Examiner Holleran in the interview on April 28, 2003 and thank the Examiner for the courtesies extended in the interview.

Claims 27, 34 and 60 are amended herein to include the language "more effectively than monoclonal antibody 4D5" as supported on page 13, lines 16-18 of the specification, for instance. This amendment is not believed to narrow the scope of the claimed invention in that the formal definition for an antibody which blocks ligand activation of an ErbB receptor already excluded 4D5/Herceptin® (page 13, lines 16-18). However, the Examiner suggested that including the explicit recitation in the claim would be helpful for advancing prosecution so Applicants have complied.

Applicants attach a Statement of Related Cases, and ask that the Examiner consider the related applications with respect to the present application.

Applicants note that they have not received initialed PTO-1449 forms for the following IDSs:

- IDS filed 8/29/2000 (citing ref. nos. 1-115), courtesy copies of references hand delivered 6/11/2002
- IDS filed 1/24/2001 (citing ref. nos. 116-218), courtesy copies of references hand delivered 6/11/2002
- IDS filed 10/30/2001 (citing ref. no. 223), courtesy copies of references hand delivered 6/11/2002
- IDS filed 7/17/2002 (citing ref. no. 224)
- IDS filed 2/27/2003 (citing ref. nos. 227-235)
IDS hand delivered 4/28/2002 (citing ref. nos. 236-305).

Applicants would appreciate it if the initialed PTO-1449 forms could be returned, indicating consideration of the cited art by the Office. In the event however that any IDSs or references have been lost by the PTO, Applicants can provide further copies upon request.

Applicants believe that this application is now in condition for allowance, and look forward to early notification to that effect. In the event, however, that there are outstanding issues to be resolved, the undersigned invites the examiner to call at the number noted below, in order to expedite prosecution.

Serial No.: 09/602,812

Respectfully submitted,
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Date: May 6, 2003

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PATENT TRADEMARK OFFICE

Serial No.: 09/602,812

VERSION WITH MARKINGS TO SHOW CHANGES MADE

27. (Amended) A method of treating cancer in a human, wherein the cancer expresses but does not overexpress ErbB2 receptor, comprising administering to the human a therapeutically effective amount of an antibody which binds to ErbB2 and blocks ligand activation of an ErbB receptor more effectively than monoclonal antibody 4D5.

34. (Amended) A method of treating cancer in a human, wherein the cancer is selected from the group consisting of colon, rectal and colorectal cancer which express ErbB2, comprising administering to the human a therapeutically effective amount of an antibody which binds ErbB2 and blocks ligand activation of an ErbB receptor more effectively than monoclonal antibody 4D5.

60. (Amended) A method of treating cancer in a human, wherein the cancer expresses epidermal growth factor receptor (EGFR) and ErbB2, comprising administering to the human a therapeutically effective amount of an antibody which binds ErbB2 and blocks TGF- α activation of mitogen-activated protein kinase (MAPK) more effectively than monoclonal antibody 4D5.